#### III. REMARKS

Applicant has amended the "Cross Reference to Related Applications" section of the application to update the information provided therein.

The Examiner has rejected claims 1-18 under either 35 U.S.C. § 102(e) or 35 U.S.C. § 103(a) in view of Kim Published Application No. US2002/0059279 ("Kim"). For the reasons discussed below, Applicant respectfully traverses this rejection.

Kim teaches the following:

... [A]n improved duplex system having a primary system with a primary database and a redundant system with redundant database, wherein the improvement comprises a Change List Table (CLT) that records key information regarding each transaction performed on the primary database, which must also be performed on the redundant database to maintain synchronization between the primary and redundant databases. The key information for an i<sup>th</sup> transaction recorded in the CLT is removed from the CLT when the i<sup>th</sup> transaction is successfully performed on the redundant database.

See Kim, ¶ 25. Thus, Kim's teachings are focused on maintaining synchronization between a primary and a redundant database.

The Examiner has <u>not</u> cited to any teachings in Kim directed to "ensuring that an IMS database and a description for said database are synchronized." *See, e.g.*, claim 1. The Examiner has also <u>not</u> cited to any teachings in Kim directed to "storing a copy of said description, used to load said database, within said database, wherein said copy is maintained in said database." In addition, the Examiner has <u>not</u> cited to any teachings in Kim directed to "determining whether said copy of said description and said description stored in said data management block are synchronized."

As stated above, Kim's teachings are directed to maintaining synchronization between a primary and a redundant database. Thus, Kim's focus is on ensuring that the database <u>data</u> in <u>two</u> databases is synchronized. On the other hand, Applicant's claimed invention is directed to ensuring

that <u>one</u> database and the <u>description</u> for that one database are synchronized. As discussed in Applicant's patent application, a database description (DBD) contains a number of source statements which describe the physical characteristics of the database. Again, the Examiner has not cited to any teachings directed to determining whether a copy of such a description (for a single database) and the description stored in a data management block (for that single database) are synchronized.

Accordingly, Applicant respectfully submits that the Examiner's rejection of claims 1-18 is not well-founded.

## IV. CONCLUSION

In view of the remarks set forth herein, the application is believed to be in condition for allowance and a notice to that effect is solicited. Nonetheless, should any issues remain that might be subject to resolution through a telephonic interview, Examiner is requested to telephone the undersigned at (512) 370-2858.

Respectfully submitted,

Michael P. Adams Attorney for Applicant(s)

Reg. No. 34,763

P.O. Box 50784 Dallas, TX 75201

### **CERTIFICATION UNDER 37 C.F.R. § 1.8**

I hereby certify that this correspondence, along with all attachments, is being deposited with the United States Postal Service with sufficient postage as first class mail in an envelope addressed to COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, VA 22313-1450, on September 21, 2004.

Signature

Mail Stop Assignment Recordation Services Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Inventor(s): Wayne E. Fisher

Assignee: NEON Enterprise Software, Inc. (f/k/a Peregrine Bridge Transfer

Corporation)

Title: "Ensuring That A Database And Its Description Are Synchronized"

Serial No.: 10/036,815

Docket No.: 39802-P005US (1/k/a M-11460 US)

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June 29, 2004

Mail Stop Assignment Recordation Services Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Inventor(s): Wayne E. Fisher

Assignee: NEON Enterprise Software, Inc. (Uk/a Peregrine Bridge Transfer

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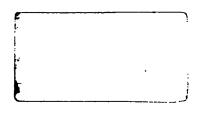
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WINSTEAD SECHREST & MINICK P.C. CLIENT ADVANCE ACCOUNT (512) 474-4330 AUSTIN, TEXAS

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June 29, 2004

direct dial: 512.370.2858 madams@winstead.com

Mail Stop Assignment Recordation Services Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

Inventor(s):

Wayne E. Fisher

Title:

Ensuring That A Database And Its Description Are Synchronized

Serial No.:

10/036,815

Filing Date:

10/19/2001

Examiner:

Uyen T. Le

Group Art Unit:

2171

Winstead Docket No.:

39802-P005US (f/k/a M-11460 US)

#### Dear Sir or Madam:

## Transmitted herewith are the following:

- 1. Return Receipt Postcard;
- 2. This Transmittal Letter (in duplicate);
- 3. Recordation Form Cover Sheet;
- 4. Change of Name (NEON Enterprise Software, Inc. 8/16/02); and
- 7. Firm check in the amount of \$40.00.

I enclose herewith a firm check in the amount of \$40.00, which represents payment for the above-referenced Change of Name being filed.

If the fee has been calculated incorrectly, the Commissioner is hereby authorized to charge any insufficiency of payment of the following fees associated with this communication, or credit any overpayment, to Deposit Account No. 23-2426 (39802-P005US) in the name of Winstead Sechrest & Minick P.C. A duplicate copy of this transmittal letter is enclosed.

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MPA:wk Enclosures Respectfully submitted,

Michael P. Adams

Attorney for Applicant(s)

Reg. No. 34,763

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Peregrine Bridge Transfer Corporation		Name: <u>NEON E</u>	nterprise Software, Inc.
		Internal Address: _	
Additional name(s) of conveying party(es) attached? Yes No		<del></del>	
3. Nature of conveyance:			
Assignment	Merger	2444	100 Cauthurant Francis
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Other		Suite 400	
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Name: Michael P. Adams		7. Total fee (37 CFR 3.	41) <u>\$ 40.00</u>
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